

All corrections to notes on this calendar should be filed no later than noon on 5/08/08. Document filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

Proposed Local Rules have been posted and can be viewed by visiting
<http://www.sbcounty.gov/courts/pdfs/misc/proposedrules.pdf>

The court welcomes your comments on these proposed rules. Please send them via E-mail to dmeyers@courts.sbcounty.gov or mail them to San Bernardino County Superior Court, 303 West Third Street, Mail Stop 240, San Bernardino, CA 92415. Comments are due by May 12, 2008. If sending comments close to the end of the comment period, please email only.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. **PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES.** No legal or procedural advice may be given.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH PROBATE

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: BPRBS00993

CASE NAME: MARY GERTRUDE GRAHAM

HEARING:

Waiver of account and for final distribution.

COUNSEL:

BARABARA A HEARNE (PET)...MYERS, WIDDERS, GIBSON, JONES
MARY BERTRUDE GRAHAM (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of account and petition for final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Both residual heirs have waived an accounting herein.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$3,731.95. Ok.
5. Petitioner requests authority to withhold \$2,000 as a reserve for closing costs. Ok.

RECOMMENDATION:

RFA subject to note 1. If approved, court to set hearing on filing receipts and final discharge for 5/21/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: CONPS0700248

CASE NAME: MTR OF DAVID WEST

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TRACY WEST

COUNSEL:

TRACY WEST	(CPE)...HORSPOOL & PARKER
DAVID WEST	(CEP)...WALTER T. MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Care Plan is filed.
2. Final Inventory is filed. However, need to also file notice of how to object to inventory and proof of service per Pr.C. §2610.
3. Court Investigator supplemental report is not due until after 6 months from the date of appointment, or 6/10/08.

RECOMMENDATION:

Need to clear note 2. Court to set hearing on Receipt of supplemental CI report for 7/10/08.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600091

CASE NAME: ESTATE OF DAWN M DOLTZ

HEARING:
Probate status report filed.

COUNSEL:
NOLA M PREVOST (PET)...HORSPOOL & PARKER
DAWN M DOLTZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Probate Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 1/4/07 (full authority, no bond).
2. Petitioner alleges the estate is not in a position to close as the real property must be sold in order to make distribution of the estate. Petitioner requests an additional year commencing 3/10/08 to conclude the estate administration.

RECOMMENDATION:

Court's discretion. If petition is granted, set next accounting review for 4/23/09.
Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700089

CASE NAME: EDWARD C. KING

HEARING:

first and final Account and Report of ED CHOW, JOAN WYNNE and
Petition for allowance of fees filed.

COUNSEL:

ED CHOW	(PET)...MONICA GOEL
JOAN WYNNE	(PET)...MONICA GOEL
EDWARD C KING	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Report on Waiver of Account and
Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived an accounting herein.
2. Petitioners request statutory compensation of \$5,187.14. Ok.
3. Attorney requests statutory fees of \$5,187.14. Ok.
4. Petitioners request authority to withhold \$1,000 for closing costs,
accountant's fees and tax reserve. Ok.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing receipts and final discharge for 5/21/09.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700669

CASE NAME: MTR OF HAROLD BARTELS

HEARING:

FIRST AND FINAL Account and Report of DONALD WARNE and Petition
for allowance of fees filed.

COUNSEL:

DONALD WARNE	(PET)...	PAUL W SMITH
HAROLD BARTELS	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Final
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Petitioner alleges that the statutory attorney's fees of \$4,000 will be paid
outside of the probate with funds from the decedent's trust.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing receipts and final discharge for 5/21/09.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700671

CASE NAME: MTR OF DORLA F DUNHAM

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MICHAEL L DUNHAM (PET)...MICHAEL I BURSTEIN
DORLA F DUNHAM (DEC)...

GENERAL INFORMATION:

Continued from 4/3/08 for copies of bank statements. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Inventory is filed, however, need copies of bank statements verifying date of death balances per local rule 20-908.

RECOMMENDATION:

Require copies of bank statements.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700895

CASE NAME: MTR OF RAYMOND JOSEF BOYKO

HEARING:
Readiness Calendar

COUNSEL:
C TERESA DRIVER (PET)...FULLERTON LEMANN SCHAEFFER & D
RAYMOND JOSEF BOYKO (DEC)...
LETICIA BOYKO (PET)...WILLIAM M NASSAR & ASSOCIATES
STATE OF CALIFORNIA FRANCHISE (TP)...

No calendar notes as this is on Readiness.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700905

VACATE – FINAL INVENTORY FILED 12/26/07

CASE NAME: MTR OF BARBARA A FUENTES

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
MARTIN R GAITAN (PET)...HARTNELL, LISTER & MOORE
BARBARA A FUENTES (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700921

CASE NAME: HARRY L. MURRAY

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JON RAY MURRAY	(PET)...TOMLINSON, NYDAM & PRINCE
HARRY L MURRAY	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 3/3/08. Thus, an inventory is not legally due until 4 months from the date Letters were issued. Court may wish to continue this matter to 7/10/08.

RECOMMENDATION:

Continue matter to 7/10/08.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800273

CASE NAME: ANA ISABEL COLINDRES SPECIAL NEEDS TRUST

HEARING:

Petition for ATTORNEY'S FEES AND FOR ORDER DIRECTING PAYMENT TO
COURT APPOINTED COUNSEL

COUNSEL:

PFF BANK & TRUST (PET)...ALHOUSE & MCDONOUGH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney's Fees for Court Appointed
Counsel, Attorney Donnasue Smith-Ortiz

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Attorney requests fees of \$7,225.00. Billed at \$250/hour for 28.90 hours.
Itemized. JTD

RECOMMENDATION:

Court's discretion
(gls)

FILE OUT: 5/1/08 – Third Account Current and Petition for Fees

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800309

CASE NAME: JENNY LEE McCOY

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

MARY WEST (PET)...DAVIS & WOJCK
JENNY LEE MCCOY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary
with limited authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$20,000. Estimated value of estate is \$325,000 in personal property with an estimated annual income of \$10,000. It is not clear whether the estimated estate consists of cash or assets other than cash. Thus, the bond calculation cannot be confirmed. JTD
2. Need to file proof of publication.
3. Note: Revised Petition for Probate, DE-111 form effective 3/1/08.

RECOMMENDATION:

Need to clear note 2. If approved, set hearing on filing inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800319

CASE NAME: REY PISANO

HEARING:

Petition for Probate of Will and Letters with limited authority
IAEA.

COUNSEL:

ENEDINA PISANO	(PET)...	LAW OFFICES OF JOHN R RAMOS
REY PISANO	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with limited authority under IAEA by surviving spouse

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$6,000. Minimum bond is \$20,000.
JTD
2. Note: Revised Petition for Probate, DE-111 form effective 3/1/08.
3. Need to file proof of publication.

RECOMMENDATION:

RFA subject to note 3, \$20,000 bond. If approved, set hearing on filing inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800321

CASE NAME: JOSEPH JOHN HARROS

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

SUSAN ANN MORALES (PET)...HORSPOOL & PARKER
JOSEPH JOHN HARROS (DEC)...

GENERAL INFORMATION:

Order Appointing Special Administrator granted 4/7/08 with requirement of \$306,000 bond. However, Special Letters have not yet issued as bond has not been posted.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by sister-in-law

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$306,000. Appears adequate.
2. Need to file proof of publication.
3. Note: Revised Petition for Probate, DE-111 form effective 3/1/08.

RECOMMENDATION:

RFA subject to note 2 and \$306,000 bond. If approved, set hearing on filing inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800331

CASE NAME: DOROTHY LUCILLE LEWIS TRUST

HEARING:

Petition for FOR ORDER CONVEYING PROPERTY TO INTER VIVOS TRUST
AFTER DEATH

COUNSEL:

SANDRA BROUSSARD (PET)...SPRINGER & POLLOCK

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Order Conveying Property to Inter Vivos Trust After Death

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the daughter and beneficiary of the Dorothy Lucille Lewis Trust dated 12/3/99. Petitioner alleges that Schedule A of the trust referenced real property as part of the trust assets. Petitioner requests that the court confirm that the subject real property be confirmed as trust property. Petitioner does not cite any authority for such request, however, the court could grant such request under Estate of Heggstad.
2. No objections are filed at the time of the review of this file.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: RPRRS01431

CASE NAME: GUADALUPE G DEL CASTILLO

HEARING:

Hearing Re: Status on Performance of Settlement Agreement.

COUNSEL:

ALICE DEL CASTILLO (PET)...PRO/PER
GUADALUPE G DEL CASTILLO (DEC)...
ALBERT DEL CASTILLO (PET)...SKOUSEN & SKOUSEN
ROBERT DEL CASTILLO (PET)...MAUREEN MURATORE
PATRICIA A LOBELLO (SA)...SACKS GLAZIER FRANKLIN & LODIS
AMERICAN CONTRACTOR'S INDEMNIT(OBJ)...LANAK & HANNA

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: RPRRS02655

CASE NAME: ALFRED E GALLADE

HEARING:

Hearing Re: AMENDED PETITION TO DETERMINE ENTITLEMENT.

COUNSEL:

SONIA GALLADE	(PET)...	BANKS AND STRATHMAN
ALFRED E GALLADE	(DEC)...	
PAMELA J GALLADE	(OBJ)...	HERSHORIN & HENRY
GALLADE CHEMICAL, INC.	(CATES PETERSON, LLP)...CATES PET

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Amended Petition to Determine Entitlement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The original petition to determine entitlement was contested and set for Trial on 3/24/08. The 3/24/08 hearing date was vacated. However, a Mandatory Settlement Conference is calendared for 8/21/08. Notes are below:
2. Petitioner is the surviving spouse of the decedent. Decedent had 2 adult children. At the time of the petitioner's marriage to decedent in 1990 he was the sole shareholder of a business Gallade Chemical. Two years after the marriage and without the knowledge of petitioner the decedent transferred his shares to his sons Richard and James. James is now deceased. Petitioner first learned of the transfer on 4-12-05. Petitioner believes he received inadequate consideration for the shares of stock and thereon alleges that the transfer was void or voidable. Furthermore, petitioner believes that Richard and James conspired with decedent to deceive petitioner and other persons interested in the estate in bad faith, wrongfully taking from decedent and concealed from his estate. Therefore, petitioner requests double damages pursuant to Pr.C. § 859.

3. **Objections originally filed to the petition filed by Pamela Gallade denying that the decedent transferred all of the shares in question and that the transfer was a gift.** Question whether objections to the amended petition will be filed?

RECOMMENDATION:

Determine if objections will be filed to amended petition. Court may wish to trail this matter to 8/21/08 to trail MSC

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: RPRRS03035

CASE NAME: EICKMEYER FAMILY TRUST

HEARING:
Readiness Calendar

COUNSEL:
BRETT EDWARDS (PET)...HARTNELL, LISTER & MOORE
KATHERINE SALDANA (RES)...PRO/PER

No calendar notes as this is on Readiness

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: RPRRS03075

CASE NAME: DEVINE FAMILY TRUST

HEARING:
Readiness Calendar

	COUNSEL:	
JAMES R DEVINE	(PET)...	SOHEILA S AZIZI & ASSOCIATES P
SUSANNE LONG	(OBJ)...	SCOTT D BROWN
KENNETH LONG	(SCOTT D BROWN)...SCOTT D B
MARK DEVINE	(DANIEL J. CRONIN)...DANIEL J.

No calendar notes as this is on Readiness

Future dates:
TRIAL 5/19

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SC SS02583

CASE NAME: MTR OF WILLIAM GROSZ

HEARING:

THIRD Account and Report of CAROL A. GROSZ and Petition for allowance of fees filed.

COUNSEL:

CAROL A. GROSZ	(CPE)...PRO/PER
WILLIAM GROSZ	(CEP)...ANNETTE G DE BELLEFEUILLE

GENERAL INFORMATION:

Accounting covers period: 3/1/07 – 3/31/08

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Accounting does not meet the requirements of Pr.C. §1060. No Summary of Account or Schedule of Assets on hand. Note: New mandatory Judicial Council Simplified accounting forms. Cannot determine whether accounting balances.
3. Need to file original statements from Artia board and care per Pr.C. §2620(c)(4).
4. Petitioner waives compensation.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS02065

CASE NAME: IN THE ESTATE OF DONALD PETER ARTH

HEARING:

Hearing Re: POSSIBLE APPOINTMENT OF PUBLIC ADMINISTRATOR.

COUNSEL:

NANCY CATHERINE WHEELER (PET)...PRO/PER
DONALD PETER ARTH (DEC)...
PUBLIC ADMINISTRATOR (AGN)...PRO/PER

GENERAL INFORMATION:

Continued several times since 8/4/06 and last from 2/7/08. On 3/22/07, Bench warrant issued for Nancy Wheeler; bail set at \$400,000. Court set this hearing re possible appointment of Public Administrator. On 2/7/08, the Public Administrator advises court it is still investigating whether there are any assets to administer. Nothing new filed.

THIS CASE IS SET FOR HEARING ON for possible appointment of Public Administrator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for letters testamentary, full authority, granted 10/25/96. No bond.
2. No I&A or accounting ever filed. However, from a review of the Assessor's records, it appears the estate real property was sold on or about 4/30/97 for \$73,500. The personal property was estimated to have a value of \$193,000 (which appeared to have been investment accounts and securities from a draft inventory in the file [tabbed] prepared by petitioner's former counsel). Petitioner and petitioner's sister are the sole beneficiaries of the estate.
3. Petition of counsel to withdraw on basis of client's lack of cooperation granted 3/20/98 and petitioner's counsel was granted relief to request a portion of the statutory attorney's fees.

4. It appears the outstanding issues in this estate are possibly: (a) outstanding statutory fees due petitioner's prior attorneys Thomkins and Parrington; (b) notice to Medi-Cal (per prior counsel's correspondence in file [tabbed] notice was *not* given; and (c) distribution issues (unknown if petitioner made an improper preliminary distribution of the estate to herself and her sister, Carol Copeland).
5. Return of service of citation from Shelby County Sheriff's office indicating Nancy Wheeler is unable to be located. Mailed notice returned as undeliverable.
6. Need report from Public Administrator re status of possible appointment as successor.

RECOMMENDATION:

Remove Nancy Wheeler per Pr.C. §8502. Appoint the Public Administrator as successor for the purpose of noticing Medi-Cal, locating cash assets, determining whether a surcharge is appropriate and making any final distribution of the estate. Set inventory review for 11/18/08 and set accounting review by the Public Administrator for 7/23/09 (/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS04115

CASE NAME: WORDIE HODGES DAWSON TRUST

HEARING:
Hearing Re: Status Conference.

COUNSEL:
ROSLYN DAWSON (PET)...EDWARD A. DZWONKOWSKI
TOMMY P DAWSON (PET)...ROGER VON KAESBORG
SARA EUJEAN DAWSON TOWNSELL (OBJ)...PRO/PER
JOHN MICKUS (JAMES R DUNN)...JAMES R D

No calendar notes – Status Conference.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS05377

CASE NAME: ESTATE OF EDGAR ELLIS POWELL

HEARING:
Accounting Review

COUNSEL:
KAREN S POWELL (PET)...JAMES B CHURCH & ASSOCIATES
EDGAR ELLIS POWELL (DEC)...
LISA POWELL (TP)...PRO/PER

GENERAL INFORMATION:
Second Account and Partial Distribution granted 8/9/07
Continued from 2/14/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
1. No final accounting/status report is filed.

RECOMMENDATION:
When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06967

CASE NAME: MTR OF DEAN EVERETT CARPENTER

HEARING:
Hearing re Final Discharge

COUNSEL:
JOAN Y CARPENTER (PET)...GRESHAM SAVAGE NOLAN & TILDEN
DEAN EVERETT CARPENTER (DEC)...

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06995

CASE NAME: MTR OF TERESA CECELIA EDGAR

HEARING:
Hearing Re: STATUS REPORT OF EXECUTOR.

COUNSEL:
DONNA JEAN ROGERS (PET)...MARTIN E KELLER
TERESA CECCELIA EDGAR (DEC)...
INHERITANCE FUNDING COMPANY, I(TP)...PRO/PER

GENERAL INFORMATION: **continued from 12/13/07 and 3/6/08 at request of counsel. Counsel advises that one of the heirs has passed away and a delay in the report was needed to establish a probate for the estate of the heir. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Status Report of Executor

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters Testamentary issued 5/22/06
2. Petitioner alleges the estate is not yet in a condition to close as the real property has yet to be sold. Petitioner requests an additional one year to conclude the estate administration.
3. Notice of Hearing and proof of service is filed, however, is does not comply with Pr.C. §12201(b).

RECOMMENDATION:

Need proper notice and then court's discretion. If approved, set next accounting review for 5/21/09.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07111

VACATE – FINAL DISCHARGE SUBMITTED

CASE NAME: MTR OF JOHN M HAYES JR

HEARING:
Hearing re Final Discharge

	COUNSEL:
NANCY C UPTON	(PET)...ROGER VON KAESBORG
JOHN M HAYES JR	(DEC)...
JOHN M HAYES, SR.	(TP)...MCKINNEY WAINWRIGHT & SAUL OLS

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07217

CASE NAME: MTR OF THERERSA V COLDREN

HEARING:

FIRST Account and Report of DAVID L COLDREN and Petition for allowance of fees filed.

COUNSEL:

DAVID L COLDREN	(PET)...	CARROLL M LAWSON
THERESA B COLDREN	(DEC)...	
CHRIS A COLDREN	(TP)...	HARTNELL, LISTER & MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First account and Report and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$500 in the body of the petition and then \$1,500 in the prayer. The actual statutory fees calculate to \$1,560.00. Need clarification on what statutory fees attorney seeks as well as the calculation. File verified supplement.
3. Petitioner has filed a proof of service with the petition. This is not proper notice. Need to file notice of hearing and proof of service.
4. Petitioner has made no allegation for distribution. Is this a final account and report? If it is not the final account, what steps are necessary to conclude the estate administration? File verified supplement.
5. If a final report, there are no allegations as to creditors, the total value of the estate, whether Dept. of Health Services was noticed and whether they will file a claim and whether all taxes have been paid. Need verified supplement if this is a final account and report.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS003050

CASE NAME: ESTATE OF WILLIAM EARL GARRETT

HEARING:
Readiness Calendar

COUNSEL:
BRANDI L LAHARA (PET)...ROBERT L KERN
WILLIAM EARL GARRETT (DEC)...
DARRYL FREEMAN (PET)...TREMAIN & HOFFMAN, LLP
W.A. HLAVATY (PET)...MAUREEN MURATORE
THOMAS W DOMINICK (TP)...THOMAS W DOMINICK

No calendar notes as this is on Readiness

San Bernardino Superior Court
CIVCAL4 San Bernardino District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

CONSERVATORSHIPS

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: CIVSS704529

CASE NAME: DONNA JEAN KNOX-V-LAWRENCE A DEAN II

HEARING:

Hearing Re: Status.

COUNSEL:

DONNA JEAN KNOX (PLA)...GEORGE F DICKERMAN
LAWRENCE A DEAN II (DEF)...LAW OFFCS OF LOUIS A STEARNS
LAWRENCE A DEAN II ()...

No calendar notes will be prepared – Judge's discretion.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600027

CASE NAME: CHRISTOPHER GERLACH

HEARING:
Accounting Review

COUNSEL:
EDWIN L GERLACH (PET)...MCPETERS MCALEARNEY SHIMOFF &
TRUDI A GERLACH (PET)...MCPETERS MCALEARNEY SHIMOFF &
CHRISTOPHER GERLACH (CEE)...

GENERAL INFORMATION:
First Accounting is due for the period 3/8/07 – 3/8/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:
When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

Superior Court of Calif, County of San Bernardino

Page: 30

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 9:30 DEPT: E1

CASE #: PROPS0600332

CASE NAME: In re Matter of Hope Marie Johnson

HEARING:

FIRST Account and Report of LINDA MAXWELL and Petition for allowance of fees filed.

COUNSEL:

HOPE MARIE JOHNSON (MIN)...DONNASUE SMITH-ORTIZ
LINDA MAXWELL (TEE)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st account current report of SNT and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 12/19/06 – 1/31/08.
2. Assets on hand \$193,328.02.
3. Bank statements filed. However, the assets listed on hand for the Wells Fargo Account does not match the balance on the account statement of 1/8/08. Need account statement showing balance as of 1/31/08 or corrected schedules.
4. There is a difference of \$1,945.08 between the beginning balance and that of the initial settlement amount. Need verified supplement reconciling/explaining the discrepancy.
5. Petitioner requests fees of \$2,620.00 for services. Billing is based on various rates of \$40-\$80/hour depending on the type of service provided for a total of 34.7 hours.
6. Attorney requests fees of \$5,390.00 for services. Billing is based on a rate for attorney at \$250/hour and for paralegal at \$80/hour for a total of 23.6 hours.
7. Petitioner requests court's confirmation of Bond posted in the amount of \$203,516.61. Assets on hand plus the estimated annual income is \$. JTD

RECOMMENDATION:

Need to clear notes 3-4. If approved court to set next hearing re Accounting Review for **5/18/09**. Accounting to cover the period of 2/1/08 – 1/31/09. Any accounting to be filed 30 days in advance.

(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01505

CASE NAME: MATTER OF VANESSA N JONES

SEE ALSO 32

HEARING:
Accounting Review

COUNSEL:

LINDA P HELSPER	(CPE)...WALTER T. MOORE
VANESSA N JONES	(CEP)...
COURT INVESTIGATOR	(AGN)...PRO/PER

GENERAL INFORMATION:

8th Account is due for the period 12/10/06 – 12/9/07

Continued from 2/14/08.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01505

CASE NAME: MATTER OF VANESSA N JONES
SEE ALSO 31
HEARING:
Ex parte hearing re: APPLICATION FOR FILING FEE WAIVER

COUNSEL:
LINDA P HELSPER (CPE)...WALTER T. MOORE
VANESSA N JONES (CEP)...
COURT INVESTIGATOR (AGN)...PRO/PER

GENERAL INFORMATION:
Continued from 4/3/08 to trail accounting review (matter 31 above)

THIS CASE IS SET FOR HEARING ON Petition for Filing Fee Waiver

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Counsel alleges that the conservatorship estate meets the requirements of Pr.C. §2628, and requests that the filing fee for any accounting/waiver of accounting be waived.
2. Counsel alleges there is good cause to dispense with notice per Pr.C. §1460(e)

RECOMMENDATION:
Court's discretion.

San Bernardino Superior Court
CIVCAL4 San Bernardino District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: SG SS3997

CASE NAME: IN THE MATTER OF PATSY JANE RYAN
SEE ALSO 34

HEARING:

Petition for FOR AUTHORIZATION TO INVEST FUNDS IN MUTUAL FUNDS

COUNSEL:

LAWRENCE A DEAN II (CPE)...HORSPOOL & PARKER
PATSY JANE RYAN (INC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Authorization to Invest Funds in
Mutual Funds

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioner alleges that the conservatorship estate consists of approximately \$190,869.23 in cash. Per the Ninth Account also before the court (matter 34), the conservatee's annual income is sufficient to pay for the annual expenses of conservatee. Petitioner further alleges that he has consulted with a registered Investment Advisor at Prudent Investors Network, Inc. to develop a strategy which would allow petitioner to obtain a greater return on conservatee's assets but to minimize the risk involved in investing. The investment proposal is attached (tabbed).which is projected to earn in excess of 8% per year in a conservative investment (i.e., 5-year government bonds). Conservatee currently earns approximately 2.7% per year. Question whether petitioner has considered if conservatee's ailments worsen whether investing the bulk of conservatee's cash assets would jeopardize conservatee's estate if penalties would be assessed for cashing an investment in prior to the 5-year period? Also, question whether there are any timed accounts currently held which would cause an early withdrawal penalty? If so, what is the amount of the penalty? File verified

supplement. Perhaps the court would wish to require petitioner to keep a separate savings account of \$20,000 for any unforeseen events.

RECOMMENDATION:

Need notice, verified supplement and then Court's discretion.

(gls)

San Bernardino Superior Court
CIVCAL4 San Bernardino District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: SG SS3997

CASE NAME: IN THE MATTER OF PATSY JANE RYAN
SEE ALSO 33

HEARING:

NINTH Account and Report of LAWRENCE A DEAN II and Petition for
allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II (CPE)...HORSPOOL & PARKER
PATSY JANE RYAN (INC)...

GENERAL INFORMATION:

Accounting covers period: 1/1/07 – 12/31/07

Assets on hand: \$195,879.23 (cash of \$190,869.23, cemetery plot and burial preneed
\$3,800 and the balance in furniture)

THIS CASE IS SET FOR HEARING ON Ninth Account Current and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$7,485.40, of which \$1,800 has been paid in periodic payments, leaving a balance due of \$5,685.40. Billed at various rates for various services not exceeding \$105/hour. Itemized.
2. Attorney requests fees of \$1,197.50. Billed at \$275/hour for attorney time and \$100/hour for paralegal time for a total of 5.5 hours. Itemized.
3. Petitioner alleges the current bond of \$210,000 is insufficient and should be increased to \$250,000. Appears adequate. JTD
4. Petitioner has not used the mandatory Judicial Council form Summary of account. Court may wish to require same or alternatively instruct petitioner to use such mandatory form on future accountings.
5. The bank statements filed for both Community Bank accounts do not match the schedule of Property on Hand. Need verified supplement with reconciliation.

RECOMMENDATION:

Need verified supplement re note 5. If approved, set next accounting review for 5/21/09 (suggested one year accounting to review funds reinvested in Prudent Investors Network, Inc., if approved –matter 33)

(gls)

CIVCAL4 Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:30 DEPT: E1

CASE #: VPRVS01870

CASE NAME: ESTATE OF ROSEMARY BARBARA POLITO

HEARING:
Accounting Review

COUNSEL:

JOHN YEAGER	(PET)...PRO/PER
ROSEMARY BARBARA POLITO	(DEC)...
MELODIE Z SCOTT	(PET)...SHERRI L KASTILAHN
VALERIE FUNK	(TP)...HARTNELL, LISTER & MOORE
JEANINE WILKER	(HARTNELL, LISTER & MOORE)...HARTNELL,
KIMBERLY OLSEN	(HARTNELL, LISTER & MOORE)...HARTNELL,
DAVID . MIRRAFATI	(STUART W KNIGHT)...STUART W
JEANINE WILKER	(FULLERTON LEMANN SCHAEFER &
DO)...FULLERTON	

GENERAL INFORMATION:

First Account Current was approved 11/1/07.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting/status report is filed.

RECOMMENDATION:

Find out status.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/15/08 TIME: 10:45 DEPT: E1

CASE #: SC SS01452

CASE NAME: IN THE MATTER OF GUIDO APPOLONI

HEARING:
Accounting Review

COUNSEL:
JANET SELVAGGIO (CPE)...SWARNER & FITZGERALD
GUIDO APPOLONI (CEP)...
US DEPT VETARANS AFFAIRS REG. (TP)...ALAN K ACHEN

GENERAL INFORMATION:
6th Account is due for the period: 2/15/06 – 2/14/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
1. No accounting is filed.

RECOMMENDATION:
When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN PROBATE

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600018

CASE NAME: BARBARA BEATRICE PAYNE

HEARING:
Accounting Review

COUNSEL:
PAUL RICHARD PAYNE (PET)...BRIAN W. SMETHURST
BARBARA BEATRICE PAYNE (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 3/14/07 (full authority, no bond)

Continued from 4/10/08. No appearance and nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600138

CASE NAME: GRANT D COHICK

HEARING:

Waiver of account and for final distribution.

COUNSEL:

NORA WERTS	(PET)...REED & BROWN
GRANT D COHICK	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges all heirs have waived an accounting and the waivers would be filed prior to the hearing. Need waivers of accounting.
2. Petitioner requests statutory compensation of \$18,579.75. Ok.
3. Attorney requests statutory fees of \$18,579.75. Ok.
4. Petitioner requests reimbursement of costs advanced of \$8,996.66. Part of the costs advanced includes postage totaling \$70.83 which is not an allowable reimbursement per local rule 20-909. Court may wish to allow costs in the amount of \$8,925.83. JTD
5. Petitioner requests authority to reimburse Pamela Leno for costs advanced in the amount of \$2,047.33. Itemized. JTD
6. Petitioner requests authority to withhold \$3,000 for closing costs. Ok.

RECOMMENDATION:

Need waivers of accounting or accounting. If approved, court to set hearing on filing receipts and final discharge for 5/21/09
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600144

CASE NAME: MARY CATHARYN GERMAIN

HEARING:

FIRST AND FINAL Account and Report of ERIC F GERMAIN and
Petition for allowance of fees filed.

COUNSEL:

ERIC F GERMAIN (PET)...STEVEN E. BATES
MARY CATHARYN GERMAIN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for
Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$8,243.31 which is the calculation of fees before the loss on sale of real property. Attorney alleges that legal services have exceeded the statutory fee with and without the loss of sale. The proper statutory fee is \$6,164.96. File points and authorities to support calculating the fee base without the loss on sale as required in Pr.C. §10810(b).
3. Petitioner requests that the court ratify the preliminary distributions of \$10,000 to each of the three residual beneficiaries.
4. Petitioner has filed a graduated filing fee statement indicated a filing fee is due in the amount of \$65.00 which was paid on 4/7/08.

RECOMMENDATION:

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 5/21/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700444

CASE NAME: MTR OF EDWARD KIRBY BONDS III

HEARING:

Waiver of account and for final distribution.

COUNSEL:

KIRBY LEROY BONDS (PET)...SHIELDS, HANNA & HAYTON
EDWARD KIRBY BONDS III (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Final
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Both residual heirs have waived bond.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$10,388.41. Ok.
4. Petitioner has filed a graduated filing fee statement indicated a filing fee is due in the amount of \$65.00 which was paid.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing receipts and final discharge for 5/21/09
(gls)

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700632

CASE NAME: Estate of Karen Louise Paredes

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

GLEN G ORRELL (PET)...WILLIAM M NASSAR & ASSOCIATES
KAREN LOUISE PAREDES (DEC)...

GENERAL INFORMATION

Continued from 2/25/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal.

THE FOLLOWING ISSUES AND / OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters issued on 9/14/07, \$112,000 bond.
2. Inventory and appraisal has been filed. However, it is not properly completed. Sections 1 and 2 are not completed as to value, but Attachment shows value. Also, is this a bank account or a check payout? All the inventory and appraisal says is that the amount listed is for AT&T Pre-Retirement Plan. If not a cash account, then appraisal must be done by the probate referee. Need corrected inventory if asset is not a cash account. Does court wish to require corrected inventory for Sections 1 and 2 when value is shown on Attachment 1? JTD. **A Corrected I&A was filed 3/21/08 - the same issues remain.**

RECOMMENDATION:

Require petitioner to file a properly completed inventory and appraisal
(kms/KRA/NMT/gls)

Future Hearing Dates:

10/20/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700680

CASE NAME: MTR OF WILLIAM OTIS MILES JR

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DAWN M MILES-CASTILLO (PET)...ROBERT J MCDONNELL
WILLIAM OTIS MILES JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Inventory is filed, however, need copies of bank statements to support date of death bank balances per local rule 20-908.

RECOMMENDATION:

Require copies of bank statements.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700802

CASE NAME: MTR OF JANETTE MARIE JOHNSON

HEARING:

Petition for PROBATE, LETTERS OF TESTMNTY WITH FULL AUTHORITY
05/15/08

COUNSEL:

ANAREZIA RICHARD (PET)...WILLIAM M NASSAR & ASSOCIATES
JANETTE MARIE JOHNSON (DEC)...
FREDERICK R PORTER (PET)...KEITH A. DAVIDSON
FREDERICK R PORTER (OBJ)...KEITH A. DAVIDSON

GENERAL INFORMATION:

Continued from 12/6/07 (matter contested and competing petition filed)

At MSC on 4/10/08, Court is informed that the petition for administration filed by Anaresia Richard is dismissed.

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters Testamentary with full authority under IAEA filed by Frederick Porter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is named executor of the Will dated 2/27/07.
2. Will waives bond.
3. Need to file proof of publication.
4. A demurrer was wiled to the Will contest and overruled as to part and sustained as to part (see Minute Order tabbed). An amended Will contest is filed by Anaresia Richard and an Answer has been filed by Frederick Porter.
5. A court trial is set for 7/7=14/08 (Readiness set for 7/10/08) but is not clear whether the trial is on the Will contest or the competing petition for appointment.

RECOMMENDATION:

Trail matter to 7/7/08
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700822

CASE NAME: OLIN WEBB JONES

HEARING:
Petition for INSTRUCTIONS PrC 17200

COUNSEL:
ORIN ROBERT JONES (PET)...DUANE P BOOTH
OPAL I JONES (OBJ)...D JASON DAVIS

GENERAL INFORMATION: **continued from 10/4/07 and 12/20/07 to resolve pending issues.**

THIS CASE IS SET FOR HEARING ON Petition for Instructions (Probate Code §17200)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner is the son of the settlor and successor trustee of the Olin Webb Jones Living Trust dated 3/25/2000. Olin Webb Jones and his daughter, Nita R. Soltau were the initial trustees of the trust. Olin Webb Jones died on 7/10/2003. Nita R. Soltau resigned as trustee in 11/2002. The trust estate consists of a family residence in Las Vegas, Nevada. The Trust provides that this real property be distributed to a conditional life estate for the life of Opal Jones on the condition that Opal survives and does not willfully abandon the property. Petitioner alleges that in 2006, Opal failed to pay the water bill for the subject property causing damage to the landscaping in the approximate amount of \$3,000. Petitioner is informed and believes that Opal Jones has not resided in the real property for over two years and is currently residing in a convalescent home in California, and it will not be possible for Opal Jones to recover from her illnesses sufficiently to ever be able to return to reside in the property. Petitioner therefore alleges that Opal has willfully abandoned the real property and that the property should now pass pursuant to the residuary clause under the terms of the Trust Agreement. Petitioner is desirous of selling the real property and dividing

the proceeds in accordance with the residuary clause under the terms of the Trust. Question what evidence petitioner has that Opal Jones has vacated the real property? Question what evidence petitioner has that Opal Jones' health is such that she cannot or will not ever be able to return to the real property (i.e., medical capacity declaration)? Or that the landscape was damaged because of non-payment of the water bill? File verified supplement.

2. **Opposition filed by Opal Jones alleging petitioner has failed to bring to the court's attention the fact that the original settler amended the Trust Agreement to provide for an unconditional life estate for Opal Jones.**

RECOMMENDATION:

Set for contested hearing.

(/gls)

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700946

CASE NAME: JOHN ROBERT MONTOYA SPECIAL NEEDS TRUST

HEARING:

Probate status report filed.

COUNSEL:

VIRGINIA M CEBALLOS (PET)...JAMES B CHURCH

GENERAL INFORMATION: **continued from 11/15/07 and 2/14/08. Court approves status report and noted that parties are waiting for funding of the Trust. An amended accounting is to be filed within 60 days. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Status Report on Creation of Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner is Attorney James Church, counsel for petitioner Virginia Ceballos. Ms. Ceballos as administrator of the Estate of Juanita Montoya (Case #SPRSS06785), was ordered to create a Special Needs Trust for the benefit of John Robert Montoya for the purpose of allowing transfer of assets which would have been given to him. In addition, John Robert Montoya is the beneficiary of his brother's estate, Estate of Alfred F. Montoya (Case #SPRSS06784). Petitioner alleges as of this date no assets have yet been transferred from the estates (above).
2. The Special Needs Trust was approved in related case #SPRSS06784 on 7/16/07. The issue of need for bond was addressed, but no orders were made. An accounting review for the trust was set for 9/15/08.

RECOMMENDATION:

Court may wish to set a future date to address need for bond (i.e., 90 days).

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800156

CASE NAME: MTR OF FRED ANTHONY ZEPEDA

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

JOEL GONZALEZ (PET)...PRO/PER
FRED ANTHONY ZEPEDA (DEC)...

GENERAL INFORMATION: **continued from 4/10/08 at request of petitioner. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Need to file notice of petition to administer estate and proof of service, including service upon the Mexican Consulate.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2 & 3. If approved, court to set hearing on the filing of the inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/23/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800306

CASE NAME: CHRISTINE PAYNE

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

XAVIER WARDELL NICHOLAS (PET)...NICHOLAS S KING
GLORIA WALTERS (PET)...NICHOLAS S KING
CHRISTINE PAYNE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate of "Lost" Will with full
authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Xavier Nicholas, alleges the original Will was in his possession at the date of decedent's Will, however, petitioner has not been able to locate the original after an extensive search. JTD
2. Will waives bond.
3. Need to file proof of publication.

RECOMMENDATION:

Court's discretion on admitting lost Will. Need to clear note 3. If approved, set hearing on the filing of the inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/23/09. Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800328

CASE NAME: MTR OF WALTER W SANTELMAN

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

DARREL RICKS (PET)...LAW OFFICE OF STEPHEN L SNOW
WALTER W SANTELMAN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary
with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2 & 3. If approved, court to set hearing on the the filing of the
inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/23/09.
Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800334

CASE NAME: THE MABEL GAIL HICKS TRUST

HEARING:
Petition for APPOINTING TRUSTEE AND SUCCESSOR TRUSTEE

COUNSEL:
WILDA HICKS (PET)...IGNAZIO
DOROTHY LYNN GILLIS (PET)...IGNAZIO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Appoint Trustee and Successor Trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner Wilda Hicks and Dorothy Gillis, allege that a testamentary trust was established on 6/26/07 pursuant to an Order Settling Report and Petition for Final Distribution filed in Los Angeles County (Case No. KP010969). Dean Lee Hicks was appointed as trustee of said testamentary trust. Petitioners now allege that Dean Lee Hicks died on 2/4/08 leaving a vacancy in the office of trustee. Petitioners are the nominated successor trustees. Petitioners request that the court appoint them as successor trustee of the Mabel Gail Hicks Testamentary Trust. Question whether the Los Angeles County testamentary trust case is still active? If so, question this court's jurisdiction to appoint successor trustees? File verified supplement
2. Need to file notice of hearing and proof of service.

RECOMMENDATION:
Need to clear notes
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: RC RS424

CASE NAME: KENNETH ANDERSON AKA KENNETH DALE ANDERSON

HEARING:

Petition for ATTORNEY'S FEES AND COSTS AND FOR ORDR DIRECTING
PAYMENT TO COURT APPOINTED COUNSEL

COUNSEL:

BARBARA ANDERSON (PET)...LAW OFFICE OF HOWARD S BORENSTEIN
KENNETH ANDERSON (PCE)...DONNASUE SMITH-ORTIZ
KENNETH DEE ANDERSON (PET)...PRO/PER
LINDA MAXWELL (SC)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney's Fees and Costs

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Attorney Donnasue Smith-Ortiz requests fees of \$21,406.25 for services 8/31/04 – 2/14/08. Billed at \$225-\$275/hour for attorney time and \$60-\$75/hour for paralegal time. Itemized.
2. Attorney requests reimbursement of costs of \$80.00. Need itemization.

RECOMMENDATION:

Need itemization of costs and then court's discretion.
(gls)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: SPASS4886

CASE NAME: ESTATE OF FRANCIS MASON

HEARING:

Hearing Re: OSC: STATUS OF STATEMENT OF DISPOSITION PRC 7665.

COUNSEL:

FRANCIS J MASON	(DEC)...
RALPH L. KRAGLE	(PET)...SNYDER, HANCOCK & ASHWORTH
JEAN ANN MARTIN	(TP)...RALPH K HEKM AN
JANEEARLENE SMITH	(RALPH K HEKM AN)...RALPH K H
CAROL HALEY	(RALPH K HEKM AN)...RALPH K H
MICHAEL J MOLLOY	(MICHAEL J. MOLLOY)...MICHAEL J
SCOTT A HANCOCK	(SNYDER, HANCOCK & ASHWORTH)...SNYDER,
JEAN ANN MARTIN	(RALPH K HEKM AN)...RALPH K H

GENERAL INFORMATION

Continued from 5/21/07. No appearance. Court also set an OSC re sanctions (next page). Clerk mailed notice.

Continued from 7/16/07. No appearance. Clerk mailed notice.

Continued from 8/20/07. Counsel informed court that distributions have been made – awaiting receipts. Nothing new filed.

Continued from 10/22/07 at request of counsel to clear note 3. Nothing new filed.

Last continued from 2/14/08. Public Administrator advises that checks were mailed out; still need receipts. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Hearing re filing of statement of disposition.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order authorizing Public Administrator to summarily administer estate pursuant to Pr.C. 7660(a)(1) was entered in 1999.
2. The case has been dormant since 11/15/02 when the court entered an order approving sale of real property.
3. The PA has never filed a Statement for Discharge as required by Pr.C. 7665(a). Need same including receipts in support.

RECOMMENDATION: Suggest court inquire re status of summary administration and continue review date accordingly (suggest future review dates to be set on Tuesday)
Court's discretion re OSC.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS03664

CASE NAME: EST OF GRACE MCDONALD

HEARING:
Hearing re Final Discharge

	COUNSEL:
KENNETH JINGLES	(PET)...MARTIN E KELLER
GRACE MCDONALD	(DEC)...
VICTOR L MAYO	(PET)...PRO/PER

GENERAL INFORMATION:

Order for Final Distribution entered 4/1/05.

Continued several times since 4/14/06 and last from 4/10/08 at request of counsel to provide receipts. Last Minute Order indicates receipts would be filed 4/10/08. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Order for Final Distribution entered 4/1/05.
2. Minute Order indicates receipts and final discharge declaration/order have been submitted. However, do not see the documents in the file. Court may wish to request duplicate originals. **So ordered on 2-1-07. Still not filed as of 4/10/08.**

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS05850

CASE NAME: ESTATE OF JOANNE V DRANEY

HEARING:
Hearing re Final Discharge

	COUNSEL:
JULIE SOSA	(PET)...PETER J LINDEN
JOANNE V DRANEY	(DEC)...
RULON DRANEY	(PET)...HARTNELL HORSPOOL & FOX
MICHAEL D DRANEY	(TP)...PRO/PER

GENERAL INFORMATION:

Order for Final Distribution granted 7/14/06

Continued from 7/19/07 and 10/25/07 at request of counsel. Court indicates there will be no more continuances.

Last continued from 01/10/08 and 3/20/08 at request of counsel to clear notes.

Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file receipts from Rulon Draney, Administrator.
2. Need to submit final discharge declaration/order.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(/gls/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07216

CASE NAME: ESTATE OF BETTY LOU REPPOND

HEARING:
Accounting Review

COUNSEL:
MELVIN GLEN REPPOND JR (PET)...BRUNICK MCELHANEY & BECKETT
BETTY LOU REPPOND (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 1/8/07 (full authority, \$20,000 bond)

Continued from 12/20/07 and 2/14/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. No accounting and/or status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07232

CASE NAME: MTR OF FERMIN O GONZALES

HEARING:
Probate status report filed.

	COUNSEL:
JUANITA MOTA	(PET)...DUANE P BOOTH
STELLA MAGANA	(PET)...DUANE P BOOTH
LUPE GONZALES	(PET)...DUANE P BOOTH
FERMIN O GONZALES	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Probate Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service per Pr.C. §12201.
2. Petitioners allege the estate is not in a position to close as the real property must be sold. Petitioners do not indicate the amount of time necessary to conclude the estate administration.

RECOMMENDATION:

Need notice. If approved, court may wish to set next accounting review for 5/21/09.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS003252

CASE NAME: ESTATE OF DOROTHY N BAILEY

HEARING:
Readiness Calendar

COUNSEL:
MICHAEL BAILEY (PET)...HODGE & BARTOUMIAN
DOROTHY N BAILEY (DEC)...
CAROL S BAILEY CLARK (PET)...PRO/PER
STEVE BAILEY (PET)...WELCH DACRE & ASSOCIATES, P.C.
DON BAILEY (PET)...PRO/PER

No calendar notes as this is on Readiness.

Future dates:
5/20 TRIAL

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN CONSERVATORSHIP

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0600029

CASE NAME: Matter of Consuelo Hernandez
SEE ALSO 22
HEARING:
OSC re: SUSPENSION OF POWERS AND REMOVAL

COUNSEL:

MARSELA HERNANDEZ TAKAYAMA (CE)...PRO/PER
CONSUELO HERNANDEZ (CTE)...
PAULA E MARTINEZ (TP)...REID & HELLYER
JOSE E MARTINEZ (REID & HELLYER)...REID & HE
EDDIE RAMIREZ (LAW OFFICES OF JE GRISWOLD & A)...LAW OFFIC
SHERRY RAMIREZ (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G
ADOLFO LOERA (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G

GENERAL INFORMATION:

On 4/10/08, Marsela Takayama made no appearance and the court set this OSC

THIS CASE IS SET FOR HEARING ON OSC re suspension and removal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. None

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0600029

CASE NAME: Matter of Consuelo Hernandez
SEE ALSO 21

HEARING:

FIRST / CURRENT Account and Report of MARSELA HERNANDEZ TAKAYAMA
and Petition for allowance of fees filed.

COUNSEL:

MARSELA HERNANDEZ TAKAYAMA (CE)...PRO/PER
CONSUELO HERNANDEZ (CTE)...
PAULA E MARTINEZ (TP)...REID & HELLYER
JOSE E MARTINEZ (REID & HELLYER)...REID & HE
EDDIE RAMIREZ (LAW OFFICES OF JE GRISWOLD & A)...LAW OFFIC
SHERRY RAMIREZ (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G
ADOLFO LOERA (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G

GENERAL INFORMATION:

Accounting covers period: 11/9/06 – 12/10/07

Assets on hand: \$353,237.49 (real property with a carry value of \$350,000, personal
property of \$1,200 and the balance in cash)

**Continued from 4/10/08. Court grants Attorney Segel's request for fees/costs of
\$3,500. Attorney Kalfayan's balance of attorneys fees to be determined. Balance of
funds are ordered held in trust account until explanation and clearing of probate
notes.**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Attorney requests fees of \$15,190.00. Billed at \$350/hour for a total of 44.7
hours. Court to decide if hourly rate is reasonable. Also, there is minimal
cash on hand. Question how attorney will be paid? File verified
supplement.

2. Attorney requests reimbursement of costs of \$1,639.58. Itemized. As part of the costs, counsel charges for photocopies, postage and mileage totaling \$218.69 which are not allowable reimbursements and considered overhead per local rule 20-1406(f). Court may wish to allow reimbursement of costs of \$1,420.89. JTD
3. Petitioner requests that the bond be reduced to \$25,000 (a total reduction of \$90,000). Appears adequate. JTD
4. On disbursements, there are numerous bank overdraft charges totaling \$3,651.00. Note: petitioner and petitioner's sister have advanced funds to the conservatorship totaling approximately \$15,541.16 to meet obligations of the conservatorship for which no reimbursement is sought. It is not clear from the advances how much petitioner contributed. Court may wish to instruct petitioner re bank overdraft issue. JTD
5. Need original of bank statement to confirm ending balance of cash on hand per Pr.C. §2620.
6. There is a separate declaration of associated counsel, Karen Segel, who seeks distribution of lawsuit settlement proceeds. A settlement amount of \$7,500 was agreed to in Los Angeles County Superior Court Case No. BC373200 against conservatee's former counsel. Attorney Segel requests that the \$7,500 be split as follows:
 - (a) Attorney Segel requests \$3,500. **Granted 4/10/08**
 - (b) The balance of \$4,000 to be distributed to Attorney Kalfayan.
Question if the \$4,000 will offset the total fee request of \$15,190 (see note 1)? File verified supplement

RECOMMENDATION:

Need to clear notes. If approved, set next accounting review for 4/15/10. Accounting to be filed 30 days in advance.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700022

CASE NAME: Matter of Rodney Steele
SEE ALSO 24
HEARING:
OSC re: FAILURE TO APPEAR/POSSIBLE DISMISSAL

COUNSEL:
BETTY CHILDERS-STEELE (PET)...PRO/PER
RODNEY STEELE (CEE)...DUANE P BOOTH

GENERAL INFORMATION:
Continued from 3/20/08. Petitioner has failed to appear and court set this OSC re dismissal

THIS CASE IS SET FOR HEARING ON OSC re dismissal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. None
2. Petition for Appointment of conservatorship also before the court (matter 24)

RECOMMENDATION:
Court's discretion.
(gls)

Superior Court of Calif, County of San Bernardino

Page: 24

CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08

TIME: 10:30

DEPT: E2

CASE #: CONPS0700022

CASE NAME: Matter of Rodney Steele

SEE ALSO 23

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BETTY CHILDERS-STEELE (PET)...PRO/PER

RODNEY STEELE (CEE)...DUANE P BOOTH

GENERAL INFORMATION:

Temporary orders denied on 3/8/07. Court appoints Attorney Duane Booth as counsel for proposed conservatee

Continued from 4/18/07 at request of petitioner to clear notes. Nothing new filed.

Continued from 6/20/07 at request of counsel. Nothing new filed.

Continued from 8/8/07 at request of petitioner to clear notes. Nothing new filed.

Continued from 10/3/07 and 11/15/07 at request of petitioner.

Continued from 01/17/08 at request of counsel. Counsel informs that Ms. Childes-Steele was hospitalized and unable to appear. She is to pay \$50 to pick up the signed medical capacity declaration.

Last continued from 3/20/08. Petitioner makes no appearance. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person only, by mother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests medical powers. Medical Capacity Declaration is filed supporting request, but declaration is not dated by the treating physician nor is item 7b completed. In fact, declaration is signed by physician-assistant. Need proper Medical Capacity Declaration.
2. Citation personally served on 2/27/07.
3. Report of counsel (Attorney Booth) is filed (tabbed)
4. Court Investigator's report is filed.

RECOMMENDATION:

Need to clear notes.

(/gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800024

CASE NAME: RITA ANN NORTON

HEARING:

Court Trial -- Estimated trial length *** hrs.

COUNSEL:

NICHOLAS L. NORTON (PCR)...MCCLELLAN & WILSON
RITA ANN NORTON (PCE)...DUANE P BOOTH

No notes – Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS00280

CASE NAME: IN THE MATTER OF JOSEPH WARREN HOLT

HEARING:
Accounting Review

COUNSEL:
JOSEPH WARREN HOLT (CEP)...SHERRI L KASTILAHN
MARIA K HOFFMAN (CPE)...PRO/PER
VERONICA LANUZA (SC)...M DANIEL SAYLOR

GENERAL INFORMATION:
Order Appointing Successor Conservator granted on 2/7/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Eighth and Final Accounting is due from Maria Hoffman (PPF and prior conservator) for the period 3/24/06 – 2/6/08. No accounting is filed.

RECOMMENDATION:
When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS01956

CASE NAME: MTR RE MARJORIE S BILLDT

HEARING:
Hearing Re: SECOND AND FINAL ACCOUNTING.

COUNSEL:
MICHAEL A BILLDT (CPE)...MARTIN E KELLER
MARJORIE S BILLDT (CPE)...

GENERAL INFORMATION:

Continued numerous times since 4/30/07 and last from 4/3/08 at request of counsel to clear notes. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Second and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need notice of hearing and proof of service, including service upon VA.
2. Accounting period stated as 7/28/03 to "present." Must have actual stated ending date against which to match bank statements. Need verified supplement.
3. Assets on hand \$28,238.17.
4. Petitioner requests \$8,970 compensation. Based upon 598 hrs at \$15/hr. Not itemized, generally calculated by taking average three visits per week and two hours per visit (in excess of 576 hrs)plus one hr per month reviewing conservatee's mail and paying conservatee's bills (approximately 22 hrs).
Issues:
 - a. No itemization. Does court wish to require?
 - b. Conservator is conservatee's son. Question whether it is appropriate to bill for weekly visits in excess of any time necessary to check on conservatee and his health and care, etc. (tasks beyond mere familial visits). Need verified supplement supporting ability to bill all visits and the amount of time,

if general visits were not allowed as billable, that petitioner spent beyond non-familial visit time.

5. Need verification by petitioner (attorney verification is insufficient).
6. Attorney requests \$2,250 fees. Itemized, based upon 8.7 hrs for attorney at \$200/hr and 8.5 hrs for paralegal at \$60/hr. JTD.
7. Need bank statements per Local Rule 1406.
8. **Petitioner proposes to distribute the balance of the conservatorship assets to the conservatee's heirs at law per Affidavit under 13100 (signed Affidavits are attached).**
9. **Notice of non-payment of bond premium filed. Court may wish to inquire whether bond premium has now been paid as this is a final accounting.**

RECOMMENDATION

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 5/21/09.

(/gls)

Superior Court of Calif, County of San Bernardino

Page: 28

CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08

TIME: 10:30

DEPT: E2

CASE #: SC SS02346

CASE NAME: MTR OF MILDRED GIBOO

HEARING:

THIRD Account and Report of JENNIFER GINGRAS and Petition for allowance of fees filed.

COUNSEL:

JENNIFER GINGRAS

(CP)...BRYAN C HARTNELL

MILDRED GIBOO

(CTP)...

GENERAL INFORMATION:

Accounting covers period: 6/12/05 – 6/11/07

Assets on hand: \$24,920.56 (cash)

Continued from 4/3/08

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives compensation during this accounting period.
2. Attorney requests fees of \$4,101.75. Billed at \$225-\$295/hour for attorney time and \$50-\$125/hour for paralegal time for a total of 22.0 hours. Itemized. JTD
3. Petitioner alleges the current bond of \$52,500 is sufficient. Appears adequate.
4. Petitioner advanced \$51,650.09 to the conservatorship as conservatee's income was insufficient to cover the expenses during the accounting period. No reimbursement by petitioner is sought.
5. Need original bill statements from Emeritus Corp per Pr.C. §2620(c)(5).

RECOMMENDATION:

Need to clear note 5 and then court's discretion. If approved, set next accounting review for 6/24/09.

(glS)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02658

CASE NAME: MTR OF MONICA COOPER SANCHEZ

HEARING:
Petition for attorney fees

COUNSEL:

KATIE SANCHEZ (CPE)...HARTNELL HORSPOOL & FOX
MONICA COOPER SANCHEZ (CEP)...SHERRI L KASTILAHN
CRAIG JONES (APP)...PRO/PER
CRAIG JONES (OBJ)...PRO/PER
DARLENE JONES (PRO/PER)...PRO/PER
MONICA COOPER SANCHEZ ()...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney's Fees filed by Attorney Sherri Kastilahn

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Attorney requests fees of \$2,845.50. Billed at \$210/hour for 13.55 hours. Itemized.
2. Need filing fee of \$180.00 per Government Code §70658(a)(4)

RECOMMENDATION:

Need filing fee and then court's discretion.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02882

CASE NAME: MTR OF SCOTT MICHAEL VIRACOLA

HEARING:

FOURTH Account and Report of MELODIE Z SCOTT and Petition for allowance of fees filed.

COUNSEL:

MELODIE Z SCOTT (CPE)...SEAVER & GILL
SCOTT MICHAEL VIRACOLA (CEP)...RUTTER HOBBS & DAVIDOFF INCORP

GENERAL INFORMATION:

Accounting period covers 1/1/07 – 12/31/07

Assets on hand: \$45,378.07 (cash)

THIS CASE IS SET FOR HEARING ON Fourth Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests that bond be increased to \$125,500 (from \$83,000). Appears adequate. JTD
2. Petitioner has paid her counsel the total sum of \$3,862.50 pursuant to the terms of the Trust. Billed at \$275/hour. Itemized. The paid sum also includes reimbursement of costs advanced of \$725.60. Itemized. JTD
3. Petitioner requests fees of \$5,191.45. Billed at various rates for various services not exceeding \$105/hour for a total of 93 hours. Itemized.
4. Petitioner requests authority to take quarterly fees of \$1,000/quarter beginning 1/1/08 for a period not to exceed 18 months. It appears the trust beneficiary's income is sufficient to support this request. JTD
5. Bank statement for account ending in ***614 does not match Assets on Hand balance. Need reconciliation.

RECOMMENDATION:

Need to clear note 5 and court's discretion re fees and bond increase. If approved set next accounting review for 5/20/10.

(glS)

Superior Court of Calif, County of San Bernardino

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS03020

CASE NAME: MTR OF CONSUELO G MORENO

HEARING:

FIRST AND FINAL Account and Report of PEDRO MORENO III, ELOISA MORENO ESTRADA and Petition for allowance of fees filed.

COUNSEL:

PEDRO MORENO III (CE)...STREAM & WERNER, P.C.
ELOISA MORENO ESTRADA (CTE)...STREAM & WERNER, P.C.
CONSUELO G MORENO (CTE)...GRESHAM SAVAGE NOLAN & TILDEN
DOLORES E OTTO-MORENO (TP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Accounting covers period: 5/2/06 – 7/8/07 (26 months)

Assets on hand: \$280,639.70 (real property of \$280,000 and the balance in cash)

Conservatee died on 6/1/07

Continued from 4/3/08. Court notes concerns with fees and continues matter for Mr. Savage to appear. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First and Final account and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners waive fees for their services during this accounting period.
2. Attorney requests fees of \$21,253.00. Billed at \$165-\$330/hour for attorney time and \$165/hour for paralegal time for a total of 115 hours. Judge to determine if hourly rates are reasonable. This appears to be an ordinary conservatorship with temporary orders being granted. It appears there were some issues regarding conservatee's identity theft and credit issues which required additional counseling/action. The following charges were for the probate matters which should be a part of the request for statutory/extraordinary fees in the probate matter:
 - (a) 6/6/07 2.0 hours for telephone conference re new probate matter - \$660.00

- (b) 7/31/07 - .5 hours for telephone conference re probate \$115.00
 - (c) 11/8/07 - .4 for review re possible foreclosure sale on estate real property \$148.00
 - (d) 11/30/07 – 1.6 work on fee analysis for creditor’s claim to be filed in probate administration \$264.00
 - (e) 12/5/07 – .25 work on fee analysis for creditor’s claim to be filed \$41.25
 - (f) 12/13/07 – 1.8 work on creditor’s claim for filing and service \$297.00
- These amounts total \$1,525.25 which should be requested in the probate matter. JTD

3. Petitioner proposes to distribute the balance of the conservatorship assets to herself as personal representative of the estate.

RECOMMENDATION:

Court’s discretion re fees. If approved, court to set hearing on filing receipts and final discharge for 5/21/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS03194
CASE NAME: **MF** MILES WALTON

HEARING:

First Account and Report of LESLYE JOHNSON and Petition for allowance of fees filed.

COUNSEL:

LESLYE JOHNSON	(CPE)...WALTER T. MOORE
MILES WALTON	(CEP)...
LESLYE JOHNSON	(PET)...WALTER T. MOORE

GENERAL INFORMATION:

Accounting covers period: 7/11/05 – 7/10/07

Assets on hand: \$48,440.74 (cash)

Continued from 4/10/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Trustee of the Special Needs Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioner waives fees during this accounting period.
3. Attorney requests fees of \$2,585.00 for services for the Special Needs Trust and \$5,773.00 for services for the conservatorship, of which \$2,000 has been paid leaving a balance due of \$6,358.00. Billed at \$210-\$295/hour for attorney time and \$75-\$95/hour for paralegal time. Court to decide if rates are reasonable. Services are itemized. JTD
4. No bond is currently set as funds are held in blocked account. Petitioner requests authorization to have released the sum of \$6,358.00 from the blocked account for payment attorney's fees. JTD
5. On disbursements, there is an early withdrawal penalty of \$1,032.70. Question if penalty could have been avoided? File verified supplement.

RECOMMENDATION:

Need to clear notes 1 and 5. If approved, set next accounting review for 5/20/10.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/15/08 TIME: 10:30 DEPT: E2

CASE #: SC SS7258

CASE NAME: IN THE MATTER OF JIMMY LEE HOLLEY

HEARING:

TWELFTH Account and Report of MELODIE Z. SCOTT and Petition for allowance of fees filed.

COUNSEL:

JIMMY LEE HOLLEY (CEP)...LENITA A SKORETZ
MELODIE Z. SCOTT (CPE)...SEAVER & GILL

No file available for review.